

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NATIONAL MEDICAL SERVICES, INC.,
Plaintiff,
v.
INDX LIFECARE, INC.,
Defendant.

Case No. [5:16-cv-04425-EJD](#)

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION AND
GRANTING THE MOTION FOR
DEFAULT JUDGMENT**


Re: Dkt. Nos. 15, 24

On August 5, 2016, National Medical Services, Inc. ("NMS") filed this action against iNDx Lifecare, Inc. to recover amounts due on unpaid loans. The case was stayed on August 29, 2016 for bankruptcy proceedings (Dkt. No. 10) and then reopened on December 29, 2016 (Dkt. No. 11). NMS moved for entry of default on February 10, 2017 (Dkt. No. 12), the Clerk entered default on February 15 (Dkt. No. 13), and NMS moved for default judgment on March 15. Dkt. No. 15.

Before the Court is Magistrate Judge Nathanael M. Cousins's Report and Recommendation to Grant Default Judgment, which recommends an award of \$444,885.77 in damages, attorneys' fees, and costs. Dkt. No. 24. The time for objecting to the Report and Recommendation has passed and no objections were filed. Fed. R. Civ. P. 72(b)(2). The Court finds that the Report and Recommendation is thorough and well-founded in fact and law, and adopts it in every respect. NMS's motion for default judgment is GRANTED. Judgment will be entered accordingly, and the Clerk shall then close this file.

IT IS SO ORDERED.

Dated: July 10, 2017


EDWARD J. DAVILA
United States District Judge